REMARKS

The Office action of March 4, 2004 has been received and its contents carefully noted.

Applicants strongly contend that the information disclosure statement (IDS) filed on August 18, 2000 does comply with 37 CFR 1.98(a)(3) as in accordance with MPEP § 609 the concise explanation of its relevance may be incorporated into the specification as it is noted in the IDS. Particularly, pages 1-4 of the specification (Description of the Related Art) describe the relevance of the cited art (Telecommunications Technology Counsel Report, Advisory No. 74) with reference to prior art FIG. 12 illustrating a conventional conditional access system.

Claims 1-19 are pending in the application. Claims 1-19 have been amended. Claim 20 has been canceled.

Claims 1-5, 7, 10, 12, and 14-20 stand rejected under 35 U.S.C. § 102(a and e) as being unpatentable over Wasilewski et al. ("Wasilewski") (U.S. Patent No. 6,157,719). Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Wasilewski. Claims 8-9, and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wasilewski in view of Andrew et al. ("Andrew") (GB 2297017). Applicants respectfully traverse these rejections, and request allowance thereof in the continuation prosecution application for the following reasons.

The Claims are Patentable Over the Cited References

Claims 1-5, 7, 10, 12, and 14-20 are not anticipated by Wasilewski

Claims 1-5, 7, 10, 12, and 14-20 stand rejected under § 102(a and e) in view of Wasilewski. Applicants strongly contend that Wasilewski fails to disclose the features recited in these claims as amended such as a conditional access system including an EMM (Entitlement Management Message) decryption section for retrieving work keys and partial viewing authorization information from the EMM extracted by said demultiplexer, an ECM (Entitlement Control Message) decryption section for decrypting the ECM using the work keys and for intermittently retrieving scrambling keys from the ECM, when the partial viewing authorization information retrieved by said EMM decryption section permits partial viewing, a media descrambling section for intermittently descrambling the coded media data using the scrambling keys intermittently retrieved by said ECM decryption section, and a decoding section for decoding the coded media data intermittently descrambled by said media data descrambling section.

Wasilewski does not teach nor suggest this patentably distinct feature of intermittently retrieving scrambling keys from the ECM, intermittently descrambling the coded media data using the scrambling keys intermittently retrieved, and decoding the intermittently descrambled coded media data when the partial

viewing authorization retrieved by the EMM decryption section permits partial viewing. In contrast, Wasilewski does disclose a conditional access system, but his system does not include these recited features. Instead, Wasilewski provides continuous and/or advance retrieval of scrambling keys, descrambling, and decoding for encrypted programs (instance) received from the broadcast system for those subscribers entitled in advance to watch the program (advance authorization for full viewing of the broadcast program). (see FIG. 1; col. 4, lines 52-67; col. 5, lines 1-6).

Specifically, Wasilewski states that "...if the authorization information 121 indicates that the subscriber is entitled to watch the program of encrypted instance 105, control word generator 119 uses the key together with information from ECM 107 to generate control word 117...." (see FIG. 1; col. 4, lines 58-62). Further, Wasilewski states that "...the authorization information used in a particular set top box 113(i) is obtained from one or more entitlement management messages (EMM) addressed to set top box 113(i)...subscribers generally purchase services by the month (though a service may be one-time event), and after a subscriber has purchased a service, service distribution organization 103 sends set top box 113(i) belonging to the subscriber entitlement management messages 111 as required to provide the authorization information 121 required for the purchased services." (see FIG. 1; col. 4, lines 64-67; col. 5, lines 1-6).

Therefore, Wasilewski makes no mention of the recited feature of when the partial viewing information permits partial viewing, intermittently retrieving scrambling keys from the ECM, intermittently descrambling the coded media using the intermittently retrieved keys, and decoding the intermittently descrambled coded media data. In direct contrast, Wasilewski discloses a conditional access system where a subscriber is purchasing a month (or one-time event) schedule of encrypted programs such that all decrypting procedures are performed in advance (viewing authorization for full viewing of the received program is sent in advance). The set-top box 113(i) in Wasilewski, in response to receiving advance authorization for full viewing of a scheduled program, retrieves/generates the scrambling key (control word 117) from the ECM sent in advance to the set-top box 113, and then continuously descrambles and decodes the received encrypted program (instance) for that entire month or advanced scheduled period of time. Again, Wasilewski makes no mention of intermittently retrieving scrambling keys, and intermittently descrambling/decoding coded media data as recited as in contrast Wasilewski plans in advance to retrieve/generate the scrambling key (control word 117) and then continuously descramble/decode the coded program for the purchasing subscriber.

Further, Wasilewski does mention dynamically adding or removing (modifying) access to services (see col. 11, lines 6-23),

but again this procedure described by Wasilewski is far different from the recited features of intermittently retrieving scrambling keys from the ECM, intermittently descrambling the coded media data using the scrambling keys intermittently retrieved, and decoding the intermittently descrambled coded media data when the partial viewing authorization retrieved by the EMM decryption section permits partial viewing. In contrast, the dynamic nature of Wasilewski solely refers to a subscriber being able to cancel or add services which will again trigger authorization information being sent in advance to enable continuous retrieval of the control word 117 for continuous descrambling/decoding of the recently added, encrypted program (instance). Particularly, Wasilewski states that "...examples of modifications include adding or canceling services provided by the entitlement authority and changing the conditions under which access to instances of a given service will be granted." (see col. 11, lines 20-23).

Thus, Wasilewski does not describe intermittently retrieving scrambling keys, and intermittently descrambling and decoding coded media data when the partial viewing authorization information permits partial viewing as recited, but rather allows a subscriber to add a service (e.g., program instance) allowing the subscriber to view a new program which is enabled by the Wasilewski system sending in advance authorization allowing full viewing of the recently purchased program which enables continuous

retrieval/generation of a control word as sent in advance by the ECM to allow the subscriber to fully view the new program. Again, this conditional access procedure described by Wasilewski completely differs from the recited feature of intermittently retrieving scrambling keys from the ECM, intermittently descrambling the coded media data using the scrambling keys intermittently retrieved, and decoding the intermittently descrambled coded media data when the partial viewing authorization retrieved by the EMM decryption section permits partial viewing.

Further, the Action appears to try to equate a free preview with partial viewing authorization, but Applicants strongly contend there is a significant difference between a free preview (essentially a program in itself) versus partial viewing authorization which permits partial viewing by intermittently retrieving scrambling keys from the ECM, intermittently descrambling the coded media data using the scrambling keys intermittently retrieved, and decoding the intermittently descrambled coded media data when the partial viewing authorization retrieved by the EMM decryption section permits partial viewing. Partial viewing (of a program) via outputting partially decoded media data under partial viewing authorization, from intermittently retrieving scrambling keys, and intermittently descrambling/decoded the coded media data, as recited is far different from continuous viewing of a continuously decoded, free preview program as

disclosed by Wasilewski.

Specifically, Wasilewski states that "...free preview 2219 is a flag that indicates that the ECM is accompanying a portion of the service instance that is a free preview...that is, as long as a customer has the MSK for decrypting the service instance, the customer needs no further entitlements to view the free preview portion of the service." (see FIG. 22; col. 36, lines 3-8). Therefore, in contrast to the recited feature, Wasilewski does indeed allow continuous viewing (decoding) of the free preview program (instance) as part of basic customer programming and does not require any partial viewing authorization nor intermittent retrieval of scrambling keys, and intermittent descrambling/decoding of the coded media data using the scrambling keys intermittently retrieved, as recited.

Therefore, it is clear that Wasilewski does not teach nor suggest the recited feature making the claimed invention patentably distinct and non-obvious from this reference.

Claim 6 is not made obvious by Wasilewski

Claim 6 stands rejected under § 103(a) in view of Wasilewski. Applicants strongly contend that Wasilewski fails to disclose the features recited in these claims as amended such as a conditional access system including a decoding section for intermittently decoding the coded media data descrambled by said media data

descrambling section.

As contended above, Wasilewski does not teach nor suggest this patentably distinct feature as in contrast Wasilewski plans in advance to retrieve/generate a scrambling key (control word 117) and then continuously descramble/decode the coded program for the purchasing subscriber.

Claims 8-9, and 11 are not made obvious by Wasilewski and Andrew

Claims 8-9, and 11 stand rejected under § 103(a) in view of Wasilewski and Andrew. Applicants strongly contend that Wasilewski and Andrew, either alone or in combination, fail to disclose the features recited in these claims as amended such as a conditional access system including a decoding section for intermittently decoding the coded media data descrambled by said media data descrambling section, or for decoding the coded media data intermittently descrambled by said media data descrambling section.

As contended above, Wasilewski does not teach nor suggest this patentably distinct feature as in contrast Wasilewski plans in advance to retrieve/generate a scrambling key (control word 117) and then continuously descramble/decode the coded program for the purchasing subscriber.

Similarly, Andrew makes no mention of this recited feature as Andrew solely discloses an encryption method for television services.

Conclusion

In view of the amendments and remarks submitted above, it is respectfully submitted that all of the remaining claims are allowable and a Notice of Allowance is earnestly solicited.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayments to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

The Examiner is invited to contact the undersigned at (703) 205-8000 to discuss the application.

Respectfully submitted,

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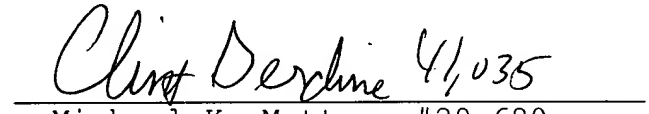
by 
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